

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION, et
al.,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION, LLC

and

CORTEVA, INC.,

Defendants.

CASE NO. 1:22-CV-828-TDS-JEP

ORAL ARGUMENT REQUESTED

**DEFENDANT CORTEVA, INC.'S MOTION TO DISMISS
AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P 12(b)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Corteva, Inc. (“Corteva”), by counsel, moves to dismiss Plaintiffs’ Amended Complaint with prejudice for failure to state a claim. The grounds for Corteva’s motion to dismiss are set forth in the contemporaneously filed memorandum of law in support of this motion.

Corteva respectfully requests that this Court allow oral argument on this motion to dismiss. Special considerations warrant oral argument in this case. Plaintiffs, the Federal Trade Commission and 12 states, assert 16 causes of action

under federal antitrust and various state laws. Corteva moves to dismiss on several independent grounds, including but not limited to, constitutional grounds. Oral argument could be of assistance to the Court in adjudicating this motion.

WHEREFORE, Corteva respectfully requests that the Court grant its motion and dismiss Plaintiffs' Amended Complaint and grant such other and further relief that the Court deems appropriate.

Respectfully submitted on this 13th day of January 2023.

MCGUIREWOODS LLP

/s/ Mark E. Anderson

Mark E. Anderson (Bar No. 15764)
manderson@mcguirewoods.com
501 Fayetteville Street, Suite 500
Raleigh, North Carolina 27601
Phone: 919.755.6600
Fax: 919.755.6699

David R. Marriott*
dmarriott@cravath.com
Margaret T. Segall*
msegall@cravath.com
CRAVATH, SWAINE &
MOORE LLP
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*Specially appearing under L.R.
83.1(d)

*Attorneys for Defendant Corteva,
Inc.*

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of January, 2023, I caused the foregoing MOTION TO DISMISS AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P 12(b)(6), and all attachments thereto, to be filed electronically with the Clerk of Court via the Court's CM/ECF system. Counsel for all parties in this case are registered CM/ECF users and will be served by the CM/ECF System:

MCGUIREWOODS LLP

/s/ Mark E. Anderson

Mark E. Anderson (Bar No. 15764)
manderson@mcguirewoods.com
501 Fayetteville Street, Suite 500
Raleigh, North Carolina 27601
Phone: 919.755.6600
Fax: 919.755.6699